

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

RAYMOND SUERO-PERALTA,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

CASE NO. C07-850RSL-MJB  
(CR90-57RSL)

ORDER DENYING PETITIONER'S  
MOTION TO DISMISS JUDGMENT

The Court, having reviewed petitioner's "Motion to the Court to Exercise Its Inherent Authority to Dismiss Its Own Judgment as Void and Motion for Declaratory Judgment Under Title 28 U.S.C. § 2201," the Report and Recommendation of Monica J. Benton, United States Magistrate Judge, and the remaining record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation and finds no reason to set aside Petitioner's conviction.
- (2) Petitioner's motion to dismiss the judgment entered in cause number CR90-57RSL (Dkt. No. 1) is DENIED and this action is DISMISSED with prejudice.

ORDER DISMISSING § 2254  
PETITION WITH PREJUDICE

1 (3) The Clerk is directed to send copies of this Order to petitioner and to Judge  
2 Benton.

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4 DATED this 1<sup>st</sup> day of October, 2007.

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7 Robert S. Lasnik  
8 United States District Judge  
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ORDER DISMISSING § 2254  
PETITION WITH PREJUDICE